

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENDELL TEALER,

Defendant.

CASE NO: 8:14 CR185

**AFFIDAVIT IN SUPPORT OF  
MOTION FOR ISSUANCE OF  
SUBPOENAS**

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

I, KRISTINA B. MURPHREE, Defendant herein, being first duly sworn on oath,  
deposes and states as follows:

1. I have been appointed to represent the Defendant because the Defendant is without funds to pay for the defense of his case.
2. The Defendant intends to subpoena Carrie A. Graham of Bloomington, Minnesota to offer testimony on Defendant's behalf at the trial of this matter. A brief summary of the necessity of her presence is that she was on the phone with Mikael Graham when he was shot, and therefore, was an "ear witness" to the incident that lead to the charging of the Defendant with possession of ammunition by a felon.
3. Accompanying the Motion for Issuance of Subpoena In Forma Pauperis is a completed subpoena for this witness to testify for the Defendant in this case.

I declare under penalty of perjury, pursuant to 38 U.S. C. Sec.1746,  
that the foregoing is true and correct.

Execute on this 16<sup>th</sup> day of May, 2015.

/s/Kristina B. Murphree  
Kristina B. Murphree #18373  
Marks Clare & Richards, L.L.C.  
11605 Miracle Hills Dr., Ste. 300  
Omaha, NE 68154  
(402) 492-9800  
Attorney for Defendant

#### CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Meredith B. Tyrakoski  
Assistant U.S. Attorney

/s/Kristina B. Murphree  
Kristina B. Murphree #18373